

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
§
v. § Case Number 4:19CR208(1)
§ Judge Mazzant/Judge Johnson
JHONNY EVANGELISTA CHEME TORRES §

NOTICE OF ELEMENTS OF THE OFFENSE

The Defendant, Jhonny Evangelista Cheme Torres, is charged in Count One of the Indictment with a violation of 21 U.S.C. § 963 (conspiracy to manufacture and distribute a cocaine, intending, knowing, and having reasonable cause to believe it would be unlawfully imported into the United States). The essential elements that the United States must prove beyond a reasonable doubt to establish this offense are as follows:

1. Defendant and one or more persons reached an agreement to commit the crime charged, namely, to manufacture or distribute cocaine, intending, knowing, or having reasonable cause to believe the cocaine would be unlawfully imported into the United States;
2. Defendant knew the unlawful purpose of that agreement;
3. Defendant joined in that agreement with the intent to further its unlawful purpose;
4. The overall scope of the conspiracy involved 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine; and
5. Defendant knew or reasonably should have known that the scope of the conspiracy involved 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine during his membership in the conspiracy.

Respectfully submitted,

BRIT FEATHERSTON
United States Attorney

/s/ Stevan A. Buys

STEVAN A. BUYS
Assistant United States Attorney
Texas Bar #24033653
600 E. Taylor, Suite 2000
Sherman, Texas 75090
Office: 903-868-9454
Fax: 903-892-2792
Stevan.Buys@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2023, the foregoing Notice was electronically filed, and counsel of record will receive notification thereof via the District Clerk's CM/ECF system.

/s/ Stevan A. Buys

STEVAN A. BUYS